



# COMMONWEALTH OF MASSACHUSETTS

## Office of Consumer Affairs and Business Regulation

### DIVISION OF INSURANCE

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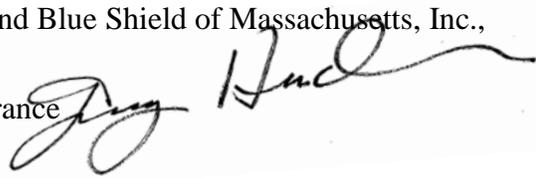
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COMMISSIONER OF INSURANCE

## BULLETIN 2020-31

To: Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc.,  
and Health Maintenance Organizations

From: Gary D. Anderson, Commissioner of Insurance 

Date: December 29, 2020

Re: Continued Flexibility in Efforts to Treat and Restrict the Spread of COVID-19

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The Division of Insurance (“Division”) issues this Bulletin to remind Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc., and Health Maintenance Organizations (“Carriers”) about the Division’s expectations regarding Carriers’ efforts to provide flexibility and coverage for the testing and treatment of COVID-19, a respiratory illness caused by a novel coronavirus.

### **The Coronavirus Risk**

The public health and societal effects resulting from the spread of COVID-19 has dramatically impacted the Commonwealth. It is essential that government and business leaders continue to take all appropriate steps to safeguard the well-being of the Commonwealth’s citizens. Health insurance coverage plays a critical role in the public’s actual and perceived access to and affordability of health care services. Therefore, the Division is notifying Massachusetts Carriers that it expects them to continue to take all necessary steps to enable their covered members to obtain testing, treatment, and vaccines to help fight the spread of this disease.

### **Continuing and Redoubling Efforts to Address COVID-19**

During 2020, the Division has issued many Bulletins to provide guidance so that Carriers appropriately respond to the COVID-19 crisis. Unfortunately, the number of individuals who have tested positive for COVID-19 in many areas is much higher than Massachusetts experienced during the summer of 2020. Recognizing the increased need for all to redouble their efforts to address this virus, the Division is issuing this Bulletin to remind all Carriers that the state of emergency continues and that Carriers should take special care to ensure that their systems are operating in a manner consistent with the following Bulletins:

- Bulletin 2020-02 – Addressing COVID-19 (Coronavirus) Testing and Treatment
- Bulletin 2020-04 – Emergency Measures to Address and Stop the Spread of COVID-19 (Coronavirus)
- Bulletin 2020-06 – Administration of Prescription Drug Benefits During COVID-19 (Coronavirus) Public Health Crisis
- Bulletin 2020-07 – Making Consumer Information Available During the COVID-19 Crisis
- Bulletin 2020-10 – Credentialing and Prior Authorization During COVID-19 Health Crisis
- Bulletin 2020-13 – Coverage for COVID-19 Treatment and Out-of-Network Emergency and Inpatient Reimbursement During the COVID-19 Health Crisis
- Bulletin 2020-15 – Relaxing Certain Health Plan Administrative Procedures During the COVID-19 Health Emergency
- Bulletin 2020-16 – COVID-19 (Coronavirus) Testing
- Bulletin 2020-21 – Continued Relaxation of Prior Authorization in Response to the COVID-19 Health Emergency
- Bulletin 2020-23 – Updated Guidance for COVID-19 PCR and Antigen Testing
- Bulletin 2020-25 – Easing Administrative Billing for PCR and Antigen Testing
- Bulletin 2020-28 – Continued Relaxation of Certain Administrative Procedures in Response to the COVID-19 Health Emergency

### **Continued Flexibility in Health Carrier Administrative Processes**

As the number of new COVID-19 cases went down in the period after the spring of 2020, there was a corresponding reduction in the level of health care resources that were devoted by most inpatient hospitals to COVID-19 treatment. In Bulletin 2020-28, the Division noted that it expected Carriers to continue to ease administrative processes that were outlined in Bulletin 2020-21 for inpatient acute care hospitals until December 31, 2020 to allow these hospitals to prepare staff for the restart of these administrative processes beginning with dates of service on and after January 1, 2021. In addition, the Division indicated that it expected that Carriers would work with individual hospitals, other facilities, and individual health care provider offices that reach out to them, especially those continuing to treat significant numbers of COVID-19 patients and experiencing unusual staff constraints, to find ways to ease the restart of these processes until such conditions improve.

As of the date of this Bulletin, the number of new COVID-19 cases has troublingly increased, and there is again an increased level of health care services devoted to COVID-19 treatment in many inpatient hospitals. The Division therefore is notifying Carriers that it expects that Carriers will ease administrative processes that were outlined in Bulletin 2020-21 for inpatient acute care and mental health hospitals until March 31, 2021 in order to allow hospitals to devote their resources to address necessary treatment of COVID-19 patients.

The Division expects Carriers to communicate all appropriate testing, treatment, and vaccine options to covered persons in accordance with guidelines from the Massachusetts Department of Public Health (“DPH”), the Centers for Disease Control and Prevention (“CDC”), and the federal Centers for Medicare and Medicaid Services, including but not limited to guidelines regarding how and when to contact the local board of health or a health care provider. As this situation evolves, and informed by guidance from the DPH and CDC, the Division may issue further Bulletins on this topic.

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If you have any questions about this Bulletin, please contact Kevin Beagan, Deputy Commissioner for the Health Care Access Bureau, at (617) 521-7323.